

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

ROBERT PERKINS

:

Plaintiff,

:

vs.

:

CIVIL ACTION 11-00212-KD-N

ARTHUR L. BYRNE, et al

:

Defendants.

:

ORDER

Plaintiff, an Alabama inmate proceeding pro se, filed a complaint under 42 U.S.C. § 1983 and a motion to proceed without prepayment of fees (Docs. 1,2). A review of the complaint and the motion reflects that they not on this Court's forms. Accordingly, Plaintiff is hereby **ORDERED** by **June 2, 2011** to complete and file this Court's form for a complaint under 42 U.S.C. § 1983 and to pay the \$350.00 filing fee or, in lieu thereof, to file this Court's motion to proceed without prepayment of fees. See Local Rule 83.9(d)(1) (requiring a pro se litigant to file his pleadings on this Court's forms). The new complaint will supersede the prior complaint. Thus, Plaintiff shall not rely upon his prior complaint.

Plaintiff is cautioned that the failure to comply with this Order within the prescribed time or to advise the Court of a change in address will result in a recommendation that this action be dismissed without prejudice for failure to prosecute and to obey the Court's Order. The Clerk is **DIRECTED** to send Plaintiff the form for a complaint under § 1983 and a motion to proceed without prepayment of fees.

DONE this 2nd day of May, 2011.

s/KATHERINE P. NELSON

UNITED STATES MAGISTRATE JUDGE